

CHAPTER 4
VEHICLE LOADS and WEIGHT REGULATIONS

- 9-4-1 Definitions
- 9-4-2 Width of Vehicles
- 9-4-3 Length of Vehicles
- 9-4-4 Axle Loads and Gross Weights
- 9-4-5 Temporary Prohibition of Certain Classes of Vehicles
- 9-4-6 Special Permits; Fees
- 9-4-7 Signs
- 9-4-8 Weighing Vehicles; Removal of Loads
- 9-4-9 Enforcement, Penalties
- 9-4-10 Civil Liability
- 9-4-11 Exceptions

9-4-1 DEFINITIONS

Terms used in this Ordinance mean as follows:

CONSTRUCTION VEHICLE: Any vehicle used in, and that is hauling, picking up or delivering materials, equipment and related apparatus then being used in the construction, remodeling, repair, replacement, enlargement or addition of or to any improvement on a lawful site within the corporate limits of the Village for which a building permit has been duly issued, and is then outstanding, by the Building Office of the Village under the provisions of the Building Ordinance.

CROP HARVEST PERMIT: A permit issued under Section 9-4-6 of this Ordinance to the owner of a thru vehicle, which vehicle is engaged in the hauling of harvested farm crops, including, but not limited to, grain, that have been planted and cultivated on, and harvested from, land owned or rented by the owner of said vehicle.

PUBLIC SAFETY EMERGENCY: Any condition wherein the service offered by a public utility or a unit of government has been interrupted, curtailed or damaged, an immediate, substantial and harmful threat to the public health and safety exists, and will continue if such condition is not immediately repaired. Without limiting the generality thereof, a threat to the public health and safety includes damage to telegraphic, telephonic, heating, cooling, lighting, power, electrical, water, sewerage, oil or gas equipment facilities, machinery or property of a hospital or other building providing inpatient health care services, a school, a nursing home or a government building.

PUBLIC UTILITY: Any corporation, company, association, joint stock company or association, firm, partnership or individual, their lessees, trustees or receivers appointed by any court whatsoever that owns, controls, operates or manages, with the State of Illinois, directly or indirectly, for public use, any plant, equipment or property used or to be used for or in connection with, or owns or controls any franchise, license, permit or right to engage in:

1. The transmission of telegraph or telephone messages between points within the State of Illinois;
2. The production, storage, transmission, sale, delivery or furnishing of heat, cold, light, power, electricity or water;
3. The conveyance of oil or gas by pipeline; and
4. The disposal of sewerage.

THRU VEHICLE: Any vehicle that traverses the roads of the Village from the point of entrance to the point of exit without providing a legitimate service as described in Section 9-4-4.A to a lawful location within the corporate limits of the Village during the course of such traverse, other than a public utility vehicle engaged in a public service emergency.

9-4-2 WIDTH OF VEHICLES

The width of any vehicle traveling on the streets of the Village shall not exceed eight feet.

9-4-3 LENGTH OF VEHICLES

The length of any vehicle traveling on the streets of the Village shall not exceed 42 feet with the exception of semi tractor-trailers, which shall not exceed 60 feet.

9-4-4 AXLE LOADS AND GROSS WEIGHTS *Amended, Ord. 686, 533*

- A. It shall be unlawful to operate any vehicle on any street within the Village when the gross weight of such vehicle, unladen or with load, exceeds 10,000 pounds (4.5 tons) except as follows:
1. A vehicle (other than a construction vehicle), including but not limited to, an agricultural implement, being used for the sole purpose of making a lawful delivery to, picking up a lawful load from, or otherwise lawfully serving, a lawful location within the corporate limits of the Village, so long as any such vehicle does not exceed the axle load and gross weight limitations of 625 ILCS 5/15-111 of the Illinois Compiled Statutes, 625 ILCS 5/1-100 et seq. hereinafter referred to as the Illinois Vehicle Code), and further so long as, and provided and on condition that, such vehicle enters the Village at the intersection nearest the destination of the vehicle and proceeds therein no further than the nearest intersection leading out of the Village thereafter;
 2. Vehicles operated by a public utility engaged in the repair of public utility services interrupted, curtailed or damaged by a public service emergency;
 3. Fire apparatus and fire fighting vehicles in route to or from a site where there has been a request for the service of such vehicles;

4. Vehicles used for the clearing of ice, snow and obstructions from public roads in route to or from roads to be cleared;
5. Tow trucks (subject, however, to 625 ILCS 5/15-111(e) of the Illinois Vehicle Code), ambulances, rescue squad vehicles and other health emergency vehicles in route to or from a site where their services are then needed;
6. Any construction vehicle that does not have a permit as provided under Section 9-4-6.
7. Vehicles operating under a special permit as provided in Section 9-4-6.

9-4-5 TEMPORARY PROHIBITION OF CERTAIN CLASSES OF VEHICLES

- A. Whenever any highway or road, or parts thereof, under the jurisdiction of the Village, by reason of deterioration, rain, snow or other climatic conditions, will be seriously damaged or destroyed by the use of trucks or other commercial vehicles, the operation of said vehicles thereon shall be prohibited.
- B. The chairman of the Public Works Committee is hereby authorized to determine and designate the time and the highways, roads, or parts thereof, which shall be so seriously damaged or destroyed as above provided, and shall so advise the Board of Trustees. The Board of Trustees, by resolution, may prohibit the operation of trucks or other commercial vehicles over and upon such roads or highways, or parts thereof, so designated, provided that said prohibition shall not exceed 90 days in any one calendar year.
- C. Upon enacting such resolution, the Board shall cause to be erected and maintained signs designating the provision of the resolution at each end of that portion of any highway or road, or parts thereof, affected thereby; and the resolution shall not be effective unless and until such signs are erected and maintained.
- D. If the President of the Village (or in his absence, the President Pro Tem) shall determine that any roads or highways, or parts thereof, might suffer serious damage prior to the time in which the Board of Trustees could meet for the purpose of taking remedial action as provided in Sections C and D above, then in such emergency the President (or in his absence, the President Pro Tem) may act alone in prohibiting the operation of trucks or other commercial vehicles over and upon such roads or highways, or parts thereof, and may direct the erection of signs at each end of such road or highway, or parts thereof, affected thereby.

The Board of Trustees, at its next regular meeting called after action taken by the President or President Pro Tem, as provided above, shall either confirm said action by resolution and extend said prohibition for a period not to exceed 90 days; or, by resolution, direct that the signs be removed and declare that no emergency exists.

A. Special Permits Required. Any vehicle that exceeds the width, length or weight limitations, or some or all of them, of Subsections 9-4-2, 9-4-3 or 9-4-4 may be operated on a street or streets, road or roads, of the Village upon issuance to the owner of the vehicle by the Police Department of a special written permit, to be issued only under the following conditions and subject to the following limitations:

1. If the vehicle is a thru vehicle it may not exceed the axle load and gross weight limitations of Section 15-111 of the Illinois Vehicle Code as then in force and effect, or of any revision thereof.
2. If the vehicle is one other than a thru vehicle it may not exceed the following axle loads and gross weights:

Per axle load:

Single Axle: 8,000 lbs.

2-Axle Tandem: 16,000 lbs.

3-Axle or more Tandem: 24,000 lbs.

Gross weight: 80,000 lbs.

3. The issuer shall establish the most direct and shortest route consistent with the public safety, taking into consideration existing traffic, the character of the road or roads, and the configuration of the terrain.
4. An application for the permit is executed and submitted by the owner of the vehicle seeking it.
5. The applicant shows there is no other route available on public roads except for a route including Village roads.

B. Application for Special Permit. Application for a special permit shall be made in writing on forms provided by the Police Department and verified under oath to the Police Department and shall contain the following information:

1. The name, address and telephone number of the applicant;
2. State if the applicant is an authorized carrier under the Illinois Motor Carrier of Property Act; if so, his certificate, registration or permit number issued by the Illinois Commerce Commission;
3. Specifically describe the vehicle or vehicles and the load to be operated or moved, and the number and the period of time or trips necessary to complete the job; and

4. List the proposed route of operation thru the Village or attach a diagram showing the proposed route of operation.

C. Issuance of Permit. The permit shall be issued subject to the condition that the route established by the issuer shall be followed at all times by the permittee, and further provided and on condition that issuance of such permit shall not be deemed to be a waiver or release of liability by the Village in favor of the permittee for damage to the streets or roads of the Village that is or may be caused by such vehicle in its operation over such streets and roads.

The types of permits that will be issued are: One Day Permit, Seven Day Permit, Thirty Day Permit, Crop Harvest Permit and Construction Permit. A One Day Permit will be issued for a period of one day; a Seven Day Permit will be issued for a period of not more than seven consecutive days; a Thirty Day Permit will be issued for a period of not more than 30 consecutive days; a Crop Harvest Permit shall be issued for a period of not more than 60 consecutive days; and a Construction Permit shall be valid from the time a building permit is issued and until a Certificate of Occupancy is issued.

The Police Department shall act to allow or deny the requested special permit in one business day following the receipt by the Department of a fully completed Application for Special Permit and a check or cash for the application fee. The Police Department shall report the number and nature of all permits issued each month to the Board of Trustees.

D. The fees for special permits shall be paid at the time of application by a check or cash and shall be as follows:

One Day Permit:	\$ 25.00
Seven Day Permit:	50.00
Thirty Day Permit:	100.00
Crop Harvest Permit:	50.00
Construction Permit:	200.00

9-4-7 SIGNS

Signs shall be erected giving notice of the gross weight limitations on the bridges, roads and streets under the jurisdiction of the Village.

9-4-8 WEIGHING VEHICLES; REMOVAL OF LOADS

A. Any police officer having reason to believe that the weight of a vehicle and load is unlawful shall require the driver to stop and submit to a weighing of the same either by means of a portable or stationary scales. If such scales are not available at the place where such vehicle is stopped the police officer shall require that such vehicle be driven to the nearest public scales approved by the Illinois Department of Agriculture.

B. Whenever an officer upon weighing a vehicle and load as above provided, determines that the weight is unlawful, such officer shall require the driver to stop the vehicle in a suitable

place and remain standing until such portion of the load is removed as may be necessary to reduce the gross weight of such vehicle to such limit as permitted under Section 9-4-4, and shall forthwith arrest the driver. All materials so unloaded shall be cared for by the owner or operator of such vehicle at the risk of such owner or operator.

- C. Any driver of a vehicle who fails or refuses to stop and submit the vehicle and load to a weighing, or who fails or refuses when directed by an officer upon weighing of the vehicle to stop the vehicle and otherwise comply with the provisions of this Section, shall be guilty of a violation of this Ordinance.

9-4-9 ENFORCEMENT, PENALTIES

- A. When any vehicle is operated on the roads and streets under the jurisdiction of the Village in violation of the provisions of Sections 9-4-1 through 9-4-6 of this Ordinance, the owner or driver, or both, of such vehicle shall be deemed guilty of such violation, and the owner or driver, or both, of such vehicle may be prosecuted for such violation.
- B. Any person, firm or corporation convicted of any violation of Section 9-4-4 of this Ordinance (said subsection pertaining to axle loads and gross weights) shall be fined as follows:

Pounds of Excess Weight	Whichever is greater as between axle load and gross weight
2,000 or less	\$0.04 per pound
Above 2,000 & 3,000 or less	\$0.06 per pound
Above 3,000 & 4,000 or less	\$0.08 per pound
Above 4,000 & 5,000 or less	\$0.10 per pound
Above 5,000	\$0.12 per pound

- C. Any person convicted of any violation of any subsection of this Ordinance, other than Section 9-4-4, shall be fined as follows:

First conviction: Not less than \$50.00 nor more than \$500.00.

Second conviction within one year: Not less than \$50.00 nor more than \$500.00.

Third and subsequent conviction within one year after the first conviction: Not less than \$500.00 nor more than \$1,000.00.

9-4-10 CIVIL LIABILITY

Nothing contained in this Ordinance or any subsection thereof, nor the lawful operation of a vehicle in accordance with the Ordinance or any subsection thereof, shall be deemed to be a waiver or release of a vehicle, or both, over the streets or roads of the Village who causes damages to any such street or road by virtue of the use of such vehicles, the Village hereby specifically reserving any rights, privileges and powers it may have according to law to seek recompense for such damages.